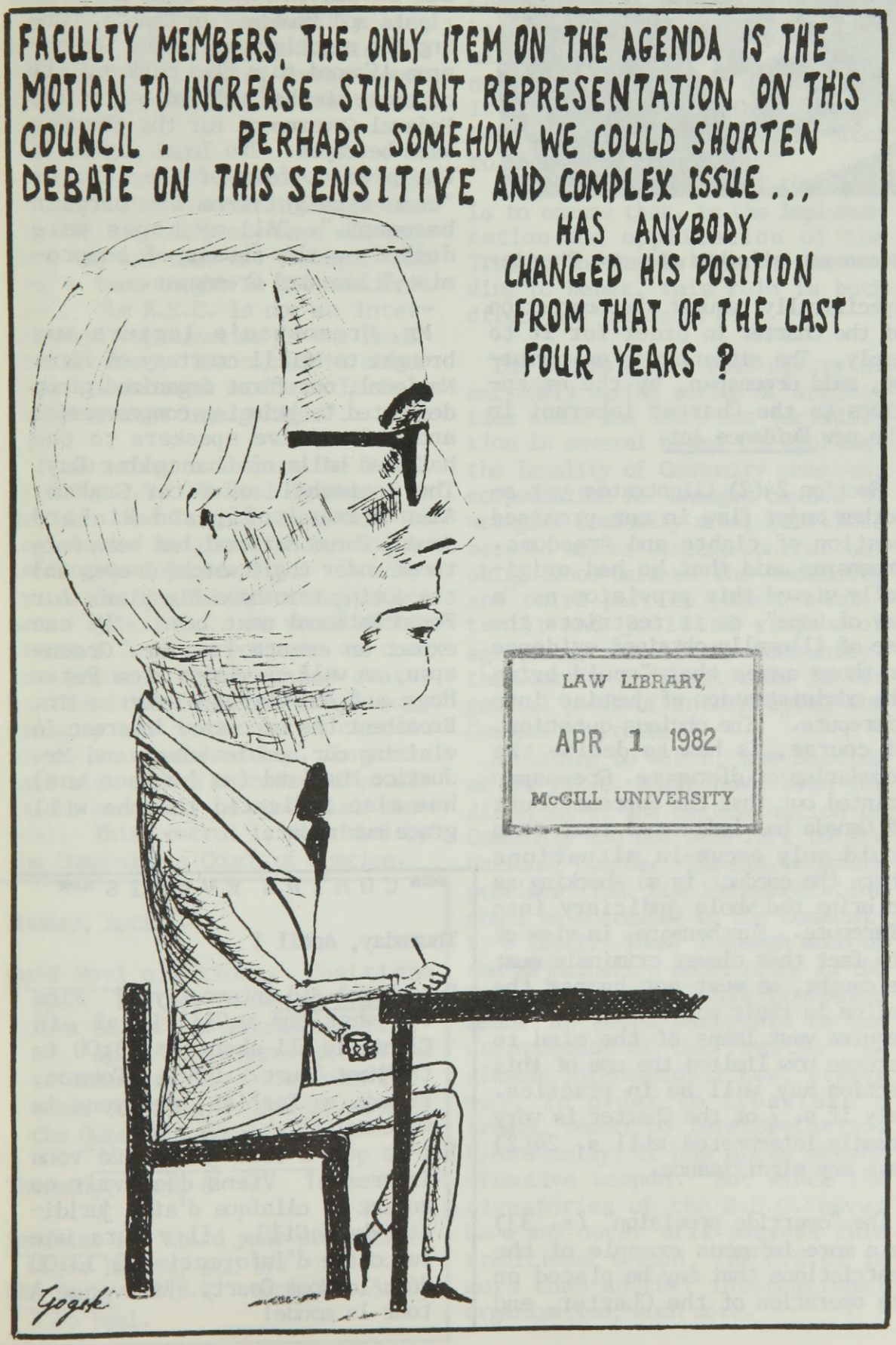
Quid Novi

VOL. II NO. 25 McGill University Faculty of Law APRIL 1, 1982

Faculty says no:

"Stewdents kant *evin spel*"



BY JOSEPH RIKHOF

The only item on the agenda at the Faculty Council meeting of March 25 was a motion to increase the number of student representatives. The student members of the Council had proposed an increase from 4 to 8, but this proposal was defeated by a large majority of 15-5-2. The five votes in favour of the proposal came from Professors Baker, Cotler, Grey, Sklar and Wade (students were not allowed to vote on the motion), while Professors Simmonds and Macdonald abstained.

Student representives Lamed, Nitoslawski, Stuart, and Vance, were angered by the one-sided outcome. They had proposed this sensitive motion having calculated that there were the necessary votes to pass it. Yet many Faculty members who had suggested beforehand that they were favourably inclined toward the motion voted the other way.

THE ARGUMENTS AGAINST

Most of the arguments raised against the motion were not new. Stephen Scott, traditionally the most outspoken speaker for the opposition, charged that raising the issue again was a waste of time. In spite of that, he addressed the motion at length. In his opinion, given that a law school is not a democratic institution, it was wrong to give students the idea that they were equal to professors. Scott claimed that he found spelling mistakes on virtually every L.U.S. poster, and that giving such students a strong vote would lead to a deterioration of the institution. "We'll become just like the

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Greenspan pessimistic about Charter

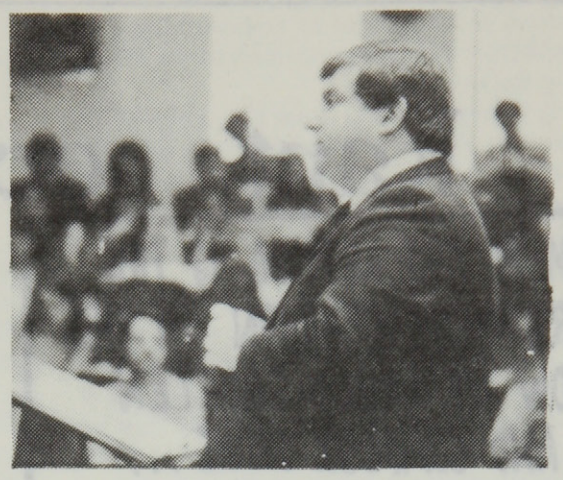
BY PEARL ELIADIS

Who would have dreamed that our long-awaited Charter would ever be described as "meaningless", "a joke" and "a horrible compromise"? Surprisingly, the horse, whose mouth delivered these epithets, wouldn't have dreamed of it a few months ago either. Nevertheless, Mr. Greenspan's recent vitriolic attack left his audience with little doubt as to his present views.

Mr. Greenspan, rumour hath it, is one of Canada's foremost Criminal lawyers, and a brief glance at his accomplishments in both the ivory tower and the courtroom leave little doubt as to his vast knowledge and expertise. Hence, in spite of flying similes and witty puns, it was difficult to be very happy about this learned gentleman's pessimistic outlook on our beloved Charter. His very knowledge and expertise in the field make the predictions of legal chaos and ineptitude even more disconcerting.

Section 8 of the Charter, for example, guarantees that "Everyone has the right to be secure against unreasonable search or seizure." These are pretty words, said Greenspan, but in view of the Solicitor-General's recent attempts to lift a six-year moratorium on the R.C.M.P.'s access to writs of assistance, those pretty words are little more than decorative verbiage. These writs allow officials unbridled powers of search and seizure, and according to Greenspan, s. 8 is composed of words "etched in ice and not in stone." Greenspan seemed to have indicated that when the going gets tough, the tough will melt.

Section 13 of the Charter guarantees that a witness' testimony shall not be used against him in other proceedings except in a prosecution for perjury or the giving of contradictory evidence. The benefits of such a provision are hopelessly obscured by the forthcoming Evidence Act, however, which states that witnesses will have to



Greenspan attacked the new Charter

specifically request the protection of the Charter in order for it to apply. The situation is exacerbated, said Greenspan, by the exceptions to the Charter inherent in the new Evidence Act.

Section 24(2) illustrates yet another major flaw in our promised bastion of rights and freedoms. Greenspan said that he had originally viewed this provision as "a ray of hope", as it restricts the use of illegally obtained evidence in those cases that "would bring the administration of justice into disrepute." The obvious question, of course, is how to define the boundaries of disrepute. Greenspan pointed out that the Supreme Court of Canada has indicated that this would only occur in situations where the conduct is so shocking as to bring the whole judiciary into disrepute. Furthermore, in view of the fact that clever criminals must be caught, we must not hamper the police in their work. It does not require vast leaps of the mind to foresee how limited the use of this section may well be in practice. Only if s. 7 of the Charter is very broadly interpreted will s. 24(2) have any significance.

The "override provision" (s. 33) is a more infamous example of the restrictions that may be placed on the operation of the Charter, and although the "sunset provision" places a five year lifetime on overriding legislation, Greenspan pointed out that such legislation may be re-enacted.

Greenspan had hoped that the new Charter would herald an era of legislative and judicial recognition and development of fundamental rights and freedoms in Canada. During the negotiations, which Greenspan likened to a flea market, all of those who had rallied behind the Federal Government for the Charter were betrayed. The legal rights in the present form of the Charter "come straight from the bargain basement." "All my hopes were dashed on the shoals of compromise," lamented Greenspan.

Mr. Greenspan's lecture was brought to McGill courtesy of Forum National, our first organized group dedicated to bringing controversial and informative speakers to the hallowed halls of Chancellor Day. The brainchild of Peter Graham, Alan Alexandroff, and Richard Janda, Forum National has been nurtured under their watchful eyes and the doting trio have big plans for Forum National next term. We can expect an encore from Mr. Greenspan, as well as visits from Peter Hogg and Mr. Tarnapolsky. Mr. Broadbent has expressed interest in visiting our humble home, and Mr. Justice Martland (as he then was) has also indicated that he will grace our midst.

*** C O M I N G E V E N T S ***

Thursday, April 1

Does Legal Aid interest you? Find out what the McGill Legal Aid Clinic is all about at 13:00 in the Moot Court. Civil, Common, French, or English, everyone is welcome!

Est-ce que l'aide juridique vous interesse? Viens découvrir ce qu'est la clinique d'aide juridique de McGill. Il y aura une rencontre d'information à 13:00 dans le Moot Court. Bienvenue à tout le monde!

Understanding EEC

BY DANNY GOGEK

Without the relatively broad jurisdiction of the Court of Justice of the European Economic Community, the E.E.C. would just be another international organization. Such was the thesis put forward by Professor Weber, member of the Institute of Comparative Law and Representative of the E.E.C., in a talk given at the Law Faculty last Friday. The engagement was the year's final speaking event sponsored by the McGill International Law Society.

Dr. Weber told students they must do one thing in order to understand the E.E.C., (many may have already done it) and that is: "Forget what you've been taught in International Law". The E.E.C. is not an international organization in the traditional sense; Nor can it be considered a federal state. It is a "very strange legal enigma".

It is wrong to compare the E.E.C. with G.A.T.T. (General Agreement on Tariffs and Trade) which has no legislative body, no Court, and no infringement proceedings. It simply has "a nice headquarters in Geneva." The E.E.C. is vastly different. It is an economic or customs union in which member states have limited their national sovereignty and transferred certain powers to the Community. Concomitant with such a transfer of powers is the necessity of judicial control. This control is provided by the Community's Court of Justice.

Dr. Weber discounted the role of the European Parliament as a distinguishing feature of the E.E.C. It is at best a consultative organ of the Community. Further, although the Council of Ministers is the central institution of the Community endowed with the power to take decisions, the balance of power is such that, in most cases, the Council can only act on the basis of a proposal from the Commission and under the judicial control of the Court of Justice. It is the role of the Court therefore that must be examined in order to understand the E.E.C.

In general, the task of the Court is to ensure that, in the implementation and application of the Treaty, the law is observed. According to Weber, this role is both direct and indirect.

The Courts direct role covers an extremely varied series of activities since the Court has jurisdiction in several broad categories: the legality of Community measures, compensation for damages caused by wrongful Community acts; conflicts between member states; contractual obligations between the Community and third parties (where competent); and judicial review of agreements made by the Community. the Court's indirect role is its general power of interpreting the Community's rules.

According to Weber, the meaning of the E.E.C. would have been far different if the determination of Community law had been left to the National Courts. The E.E.C. Treaty provides that its interpretation shall be entrusted to the Community's Court. Thus, although much of the adjudication takes place in the National Courts. This provision means an added safeguard to the enforcement of the Treaty. In classic International Law, states may, in order to frustrate a treaty, resort to interpretation. Historically, it has often proved effective weapon. But since the signatories of the E.E.C. never have and never will possess this traditional weapon, the E.E.C. is more than another international organization, much more.

Monday, April 5

Quid Novi elections. Positions open: Editor, Managing Editor, News Editor, Entertainment Editor. All contributors are urged to attend at 13:00 in Room 202. Other business: ratification of the Quid Novi constitution.

Thursday, April 8

Deadline for third year students to enter LLB IV, BCL IV.

LXA Party - B.B.Q. starts at 15:00, 3505 Peel.

Letters

QUID NOVI COULD BETTER SERVE THE SCHOOL

The Quid Novi has taken on new shape this year as it has witnessed considerable expansion and offered some reflections on life at McGill Law School. My initial reaction was that the paper was boring. What happened to "Dear Bora"? More importantly, if in fact the paper was making a conscious effort to be a student voice on affairs that concern us then it should include a balanced presentation of issues and reflect a more positive attitude about this Faculty. I think that we can all agree that this is a good place to go to school. It could of course be a much better place.

I believe it is laudable that a student paper is willing to address faculty hiring policy, curriculum and student-faculty relations. This says everything and nothing about a law school. Why not rethink the whole approach to a legal education? Is the present system practical enough, does it or should it bear a stronger relationship to legal practice? Should it be more philosophically oriented or, better, take into account political and economic realities? Are we case monitors or legal thinkers, Court of Appeal junkies or concerned with the day-to-day effects of laws?

For the paper to play a more productive role it should seek input from former students. If it is to present a student perspective on an important issue, it should utilize a poll and attempt to tap the majority viewpoint. The paper should not be reluctant to approach members of the faculty to obtain an individual or collective viewpoint. I believe that the paper could better serve the school if it were more of a showcase for the efforts of the students and faculty alike. The paper could start next year off on a positive note by encouraging first year students to be more comfortable with their new environment.

JOHN WEBSTER

Editorial:

Welcome to Obedience School...

Last Thursday, the Faculty gave a resounding "No" to increased student representation on Faculty Council. We were told by H.P. Glenn that students had shown themselves to be "loyal and obedient" this year, and for that reason precisely had weakened the case for more representation. We were told by Stephen Scott that when scarcely a student poster appeared without spelling mistakes, he, the self-proclaimed "Stikeman" of the Faculty, was loath to consider a student the equivalent of a law firm partner. And what we didn't hear was equally tiresome. With the exception of Professors Sklar and Grey, no voices were raised on behalf of students, though Professors Baker, Cotler, and Wade also voted for the increase.

Although the vote represents a firm rap on the student body's collective knuckles, there is a more profound message to be read between the lines of the Faculty Council minutes. The Faculty is as afraid of itself as it is of the students. Prof. Buckley spoke quite openly about the deep divisions in the Faculty and argued that because the Faculty has such difficulty reaching consensus, it cannot afford to let a new block of student votes hold sway. Battles between Common Law and Civil Law, battles between French and English, a powerful and hostile provincial government, drastic budgetary problems--these were the spectres raised by Professors who suggested that very hard decisions would have to be made in the near future and consequently any attempt to rock the boat, especially by handing power over to students, was most dangerous.

So the vote was as much as anything a vote of no confidence by the Faculty in itself. A confident and united Faculty would have nothing to fear from a Council less than one quarter of which would have been composed of students.

The kinds of fears that were raised by Faculty reflect a sense that McGill Law School is not what it was. And if it is at present "miraculously bound together by paste and band-aids", to quote Prof. Scott, the Faculty cannot see its way to more substantial remedies. Rather, it believes that the little bit of glue it has is coming unstuck. Just to take one example, McGill's applicant pool is slowly evaporating. The number of people applying for spaces in the entering class is already below that of other schools in Quebec, and well below that of schools in Ontario, for example. And the best students in that applicant pool are choosing to go elsewhere with alarming frequency.

Confronted with the need to do more work revising publicity, personally contacting applicants, and travelling to promote the school, among other things, some anti-representation Faculty members reply that they have not the time or the remuneration to do any more work on the school's behalf. The same Faculty members jump at the suggestion that students might help, for example, in the re-writing of the prospectus or in some of the administrative work to be done. And already, students in the Bookstore, judging moots, on the Moot Court Board and on the Board of Student Advisers, to name just a few areas of involvement, are doing much to relieve the administrative burden on the school and presumably freeing up time for professors to pay more attention to matters like admissions. It should not, then, lie in the mouth of professors who question student long-term dedication to the Faculty and speak of student conflict of interest on Council to complain that they are already, on their wages, doing too much for McGill as it is. There is, after all, a buyer's market for professors who are willing to cope with such wages quite nicely.

The simple fact of the matter is that if McGill is going to face the complicated set of political, economic, and administrative difficulties before it, Faculty is going to have to rely more and more on student participation in the running of Faculty affairs. When cuts in services threaten, the Faculty has turned and will turn to students.

A prime goal of a Faculty which is, by its own characterization, "divided" and "embattled", should therefore be to secure student participation at ever increasing rates. Properly undertaken, securing such participation could become the stronger glue Faculty feels it requires. In order to achieve this goal, the Faculty must ask itself how to develop a consensus among students that participation is important and worthwhile. It cannot do so by repudiating student efforts to work together with Faculty constructively. Yet the LUS Executive, in the light of last year's Day of Silence, made such an effort this year only to have it thrown in their faces.

What the Faculty must do instead is recognize that the student participation it needs will only come with attendant responsibilty. After all, part of a law school training should be to prepare future lawyers to take up positions of responsibility. It is a true indictment of McGill that the Faculty is unwilling give increased responsibility for making hard decisions to those it sends out into the work force to make hard decisions.

And the very reasons offered by Faculty for blocking this increased responsibility are reasons to accept it. If the Faculty is going to face hard times ahead, and if it is having difficulty coping with a siege mentality and the paralysis of ongoing standoffs, it desparately requires the infusion of a new force for consensus. And the issue is consensus, not "balance of power". Because students have few of the vested interests of Faculty, which range from "McGill will always remain an anglophone school propped up by an LL.B." to "McGill must remain committed to the purity of the Civil Code unpolluted by the Common Law.", they can bridge the gap and find compromise.

As things stand, this voice is not strong enough to make a sufficient difference. And furthermore, student involvement in the broader

issues facing Faculty is too weak. This is in large measure because the major student "political" activity remains LUS (now LSA) rather than Faculty Council. With an increase in Faculty Council representation, student attention would shift more completely to the issues before Faculty Council. This would serve to build a constituency of students fully informed and qualified to take up the matters before Council in a responsible way. If any proof of student good faith and ability is needed, witness the position taken by this year's Executive and witness years of student participation.

The Faculty has, in the diversity of talent of its students, a remarkable resource that can assist in facing the problems ahead. The point is not that it cannot afford to give students power, but that it cannot afford to squander their talent. If, as he claims, the Associate Dean really wants to come up with a workable answer to insufficient student representation, let a Student-Faculty Committee be struck immediately to work out a solution over the summer with respect to specific numbers, particular responsibilities, and method of election of additional representatives. Let their recommendations be presented to Faculty Council in the fall for quick consideration and implementation.

If such an overture is not made, students will have to ask what the appropriate response is for the beginning of next school year. Prof. Scott referred to the position of George III with respect to the American upstarts when he opened his remarks last Thursday. But he failed to mention a memorable slogan of the time: "No taxation without representation." Given the level of participation the Faculty must continue to expect of students perhaps we should adopt the slogan: "No participation without representation."

RICHARD JANDA

Leaky arguments wash motion away...

I must confess that prior to the student-faculty bloodbath last Thursday, it was quite easy to be sympathetic to the perennial position of the many professors opposed to increased student representation on Faculty Council. A motion to increase this representation from 4 students to 8 seemed like naught more than a rather radical student demand. Faculty Council must be responsible. It seemed fine the way it is. And things have just been "peachy keen" this year. Or have they?

Ironically, the more one listened to the professors' arguments against the motion, the more one was persuaded to side in favour of it. Most of these arguments did not address the issue of an increase in student representation, they addressed the question of student representation period.

Many of the arguments spoke of "professorial expertise" and "student inexpertise"; that students are not the professor's colleagues, they are merely students. Images of supposed student incompetence danced about the room as these remarks were made.

Now let's settle this point about competence and incompetence once and for all. Let's face facts. There are competent students and incompetent ones. Some try hard, while others do not. Now, given the choice between one or the other, I would far rather see on Council an incompetent student who tries hard, than an incompetent professor who no longer has to.

Then there was the argument that students in law firms are subordinate to partners and so students in law faculties should be subordinate to professors.

Not only does this remark speak to the wrong issue (student representation at all), but it also treats the law faculty as just another law firm.

It surely does not take much to realize that the Law faculty is not a law firm. The purpose of the law firm is to serve clients; the purpose of a law faculty is to serve education. Students joining a law firm often remain there much of their lives. Students in a law faculty remain only 3 or 4 years. Students in a law firm are salaried by partners; students in a law faculty are in no such remunerative position. The bottom line of all this is that the student in a law faculty has a vastly different role to play than the student in the law firm. In the law faculty, both student and professor have the common objective of higher education. There is a place then for subordination - in the law firm; there is not only a place for co-operation in the law faculty, there is clearly a need for it.

The next point raised in the debate was that students should not sit on the Council due to a conflict of interest. Along with the others, this argument does not address the question of increased representation. If one honestly believes there is a conflict of interest, the obvious suggestion is that there should be no student representation at all.

So is there a conflict of interest? The argument claims that since students might vote on questions regarding, for example, courses they might take later on, they have a conflict of interest. There is a distinction, however, to

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Quid Novi

Quid Novi is published weekly by the students of the Faculty of Law of McGill University. Production is made possible by the support of the Dean's Office and the Law Undergraduate Society. Opinions expressed are those of the author only. Contributions are published at the discretion of the editor and must indicate author or origin.

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Mail Subscriptions are available at the rate of $.60 per issue from Quid Novi, 3644 Peel Street, Montreal Quebec, H3A 1W9.

South African Justice

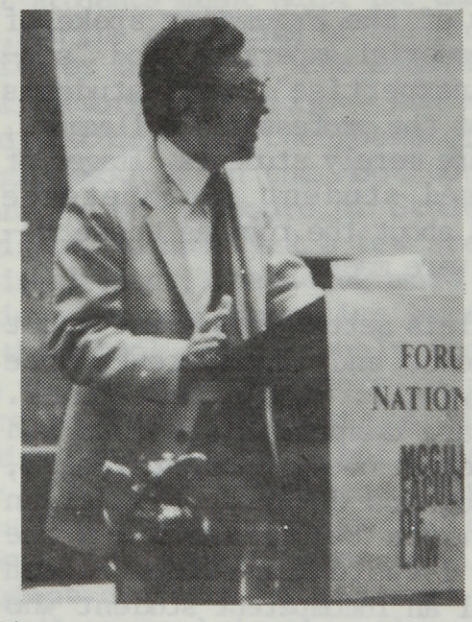
BY DEMETRIOS XISTRIS

Professor Irwin Cotler gave a vigorous and fast-paced lecture on South Africa and the law of apartheid to a handful of students in the Moot Court on Wednesday, the 24th of March. Prof. Cotler, drawing on his impressions from a recent visit to South Africa and his wealth of knowledge about the issues of racism and discrimination around the world, dealt with apartheid on three grounds: 1) the legal constituents of apartheid; 2) the social features of apartheid; 3) developments in foreign policy towards South Africa.

From the outset, Prof. Cotler made the important distinction between South Africa's form of racism and that of many other countries in the world. Apartheid is a matter of law and is effectuated and validated by through many statutes which deny the non-white his rights and social function. These laws have the effect of denying citizenship and the right to vote to blacks with the general intent of denationalizing the black majority while giving them only 13% of the land to live on. Prof. Cotler's description of these laws helped shed light upon the extent to which South Africa's statutes reach into the most private aspects of social relationships.

Perhaps the most disturbing aspect brought out by Prof. Cotler is that the South Africans themselves see nothing wrong in their society and at times liken it to examples in the United States. In the course of his discussions with South African officials, including Foreign Minister Botha, Prof. Cotler noted the recurrent labelling of apartheid as "constructive differentiation" allowing race group to its indigenous self-fulfilment. There apparently does not even exist a concept of "separate but equal", as existed in the United States for many years, but only a concept of "separate". While South Africans like to draw analogies between themselves and the United States, Prof. Cotler remarked that whereas race relations in the United Staes have been moving forward in the last one hundred years, South Africa has made moves to strengthen apartheid. Prof. Cotler admitted that there have been some reforms lately, but these, he argued, are only of "cosmetic value" in liberalizing "petty apartheid" while the scheme of "grand apartheid" remains.

After describing a disturbing picture of South African society, Prof. Cotler went on to describe the role of foreign countries in dismantling apartheid. He noted that western democracies of late have had the tendency to develop alliances with South Africa. As to the more grass-roots "divestment" movement, Prof. Cotler agreed that it was an effective form of protest. However, he cautioned that it was important to be imaginative and find other ways to achieve the end of drawing attention to the nature of the regime in South Africa.



Cotler urged us to fight apartheid

Prof. Cotler ended his lecture on a spiritually charged note, citing Burke and Tennyson and recounting the story of an apathetic German theologian in Nazi Germany who had done nothing to help while others were being oppressed and when his turn to be taken away finally came, realised that there was no one left to help him. Said Cotler: "You must think of yourselves as having an indispensible part to play in an indivisible struggle for human rights."

ATHLETICS

BY JOHN WEBSTER

Can you feel the pressure building in the basement? Exams? No, it's the start of the baseball season. We've got Pennant fever! It's time to start marching to Olympic stadium. We certainly have no shortage of sports enthusiasts in this Faculty. We are a little short,however, on recognition of the athletic achievement of our peers. There are those among us who make great personal sacrifices in pursuit of athletic excellence. Unfortunately, most of the student body is unaware of the efforts of these individuals who represent the University in varsity competition. I would like to pay my personal tribute to three such individuals, Mike Nelson, Rick Rusk and Howard Stupp.

Mike Nelson, who graduates this year, is the captain of McGill's Varsity Hockey team. As the leader of the defensive corps Mike had the finest plus-minus average on the team this year. You have probably recognized him on Monday mornings limping down the halls carrying his jar of peanut butter with numerous reminders of the weekend contests about his face. The guy with the black eyes and bandages is not a collection agent but a hockey star. Despite time restraints Mike managed to make an invaluable contribution to the intra-mural program. This on-and-off-the-ice leader of the hockey team will be missed by members of this Faculty as well.

Rick Rusk also graduates this year. You would think that his height and laid-back style would be a dead giveaway that he is a basketball star. Rick is a veteran of varsity competition playing basketball at Guelph University before coming to McGill where he has been the leading offensive player on the Redmen squad. Rick is a master at his craft, he is deceptive when you watch him play, but, to really appreciate his contribution you have to watch his drive and determination at daily practice.

Howard Stupp is one of our most successful Canadian amateur wrestlers. Howard has been the leading Canadian wrestler in his weight category for many years. He is a veteran of numerous national and international competitions. In short, he not only represents this school but this country. He has had to endure a gruelling training schedule in order to achieve this level of excellence.

These three individuals are law students, they are also superior athletes and have earned my respect and admiration.

CONTINUED FROM PAGE 1

Arts Faculty," he warned. Furthermore, Scott argued that students on Faculty Council were in conflict of interest. They would be in a position to vote on degree standards which they would later have to meet. On top of that, students had in the past and would in the future vote "en bloc", according to Scott. Thus, if there was any place for them at all, students might be used in the consultation process.

This tirade of Prof. Scott's set the tone for other speakers who spoke against the motion. Prof. Somerville agreed that students were not qualified enough to deal with the complicated business of running a Faculty. By way of illustration, she noted that just the previous week she had improved her own qualifications by learning something about dealing with governments.

Mr. Renshawe agreed that the Law School was not a democratic institution and added that while he believed that some student representation was necessary, he was not convinced that eight was the right number.

Prof. H.P. Glenn said that this year students had a weaker argument for increasing representation because "the Faculty Council has been a good functioning institution. Students have been loyal and obedient". As Campbell Stuart put it a day later, commenting on Glenn's argument: "This is saying: thanks for the the free ride, suckers." Glenn argued further that the 1980's would bring new rules and procedures for coping with the critical or hostile attitudes of the Bar, the public, and government. It might even prove necessary to reduce the student representation in the near future, he suggested.

Prof. Buckley expressed the fear that because students would vote "en bloc" and because the Faculty is chronically divided along Civil Law/Common Law and French/English lines, students could hold the balance of power if their numbers were increased.

ARGUMENTS IN FAVOUR

The main arguments in favour of the proposal were that the teaching Faculty has grown tremendously in size in the last decade with the result that the disparity between Faculty and student members has increased in a period when the number of students enrolled in the school has also increased. The result is that the 500 students are now represented by 4 student Faculty Council members. At the moment there are 32 Faculty members. At the time it was decided that there should be student representation there were 18 Faculty members. Another argument brought forward by Marek Nitoslawski was that with increased representation a greater diversity of student opinion could be achieved.

Prof. Sklar added that students have the same goal as Faculty -- namely excellence in legal education. Moreover, he suggested that the Law Faculty should follow the North American trend toward giving consumers greater participation in decision-making. This argument was advanced by both Joanie Vance and Marek Nitoslawski who stressed the point that students have proven their responsibility in organizations like the Book Store and the Moot Court Board, but that they will not be willing to do this voluntary work for nothing in return. To avoid frustration and to give incentives to the "good behaviour" of students, more voting student members on Faculty Council were required.

As Campbell Stuart put it at the meeting, students do not get tangible rewards. They do not get money or credits for what they are doing. The only incentive is loyalty and pride. In order to maintain this, students need identification. This identification can be created in two ways. One way is to have students identify with the Faculty as a whole by integrating them into the decision-making process. The other way is to have students identify only with themselves which results in Faculty-student confrontations.

Some Council members responded to comments made against the motion. Prof. Grey noted that students have a fresh outlook, and that they have instituted many good motions. He also expressed the opinion that voice without vote could lead to frustration or, to extreme positions. Little represenation leads to one block; greater representation brings diversity.

Both Campbell Stuart and Marek Nitoslawski pointed out to Prof. Scott that he was inaccurate in saying that students have voted "en bloc". The past has proven the opposite.

Prof. Sklar took issue with the "lack of qualification" argument. Greater expertise does not necessarily mean greater wisdom. Prof. Sklar illustrated his point by noting that whereas Faculty had been opposed to the student position on two credit courses, it was now coming around to the student view.

This whole discussion had taken place during a Faculty Council meeting as a committee of a whole. After the discussion, the meeting became a closed session in which students could neither speak nor vote. During the session, Associate Dean Macdonald, who had not said anything previously, proposed another motion regarding student representation. It was so complicated that the Dean invited Macdonald to explain his motion again or draw it on the blackboard. He declined and no one could be found to second the motion. During the voting, Macdonald abstained.

Those who voted "No" included Professors Bridge, Groffier-Atala, Weber, Haanappel, Scott, Foster, Buckley, Durnford, Magdelénat, Renshaw, H.P. Glenn, J. Glenn, Crépeau, Morisette, and Somerville. According to Campbell Stuart, if 4 or 5 professors had voted the way they indicated they would prior to the meeting, the result would likely have been different.

ANNOUNCEMENTS

Applications for Quebec Bar School are available at SAO.

Applications for Faculty Scholarships available at SAO, Deadline May 14.

Applications for the various committees in the Faculty (ie. Admissions, Curriculum) are now being accepted. Please submit a résumé outlining your interests to the SAO.

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be made between students genuinely raising points and grievances, thus representing the students, and students overtly acting in the interests of lowering the standards of the faculty. There is not a conflict of interest where student representatives make genuine grievances, and where Faculty, due to its clear majority, maintains a sure control over any proposal affecting standards. To hold otherwise would be to say that a professor also has a conflict of interest when he must balance his interests regarding his personal course load against those regarding, for example, his private consultation practice. Or, to hold otherwise would be to say that Quebec's anglophones have a conflict of interest in representing the rights and grievances of anglophones in the National Assembly, despite control being clearly in the hands of the PQ majority.

Finally, one heard the argument that even professors learn things form time to time, so students should recognize that they too have things to learn. The example given was that a professor recently learned a great deal from an experience with the government. One is tempted to argue that if a professor could learn anything from someone in government, then they could likely learn about twice that from a student.

In any event, it was interesting to hear Professor Sommerville candidly acknowledge that she too has many things to learn. Does the deduction really follow from this premise that students should therefore recognize how little they know? There is a premise missing: student representatives are often quite qualified, and in areas where professors may lack expertise. The conclusion that follows is obvious, though one I suspect not everybody will be overjoyed to hear: professors may even learn from students.

Finally, there was the point raised by Professor Crépeau. Just how has student representation changed in relative terms compared with say, five years ago? The question was not answered at the meeting. This is most unfortunate. Since all indications are that a larger Faculty has meant, in relative terms, a watered-down student representation, Mr. Crépeau's question is clearly the one that must first be answered.

DANNY GOGEK

Barry elected

BY DANNY GOGEK

After an exciting election campaign, Jeremy Barry was elected the new president of the McGill International Law Society (M.I.L.S.) at last week's members' meeting. Turning over the reigns to the president-elect, out-going president Robin Sully congratulated Mr. Barry and passed on the thoughtful wish that his year would be as successful as hers had been.

Sully said her year went very smoothly and that through a well-organized committee programme, run by devoted members of the Society, she was saved from much of the labour. (A good thing since Robin had her own to take care of this year.)

In his rather moving acceptance speech, Mr. Barry emphasized his plans to channel much of his energy next year into the Society. A specialist in International Law, and member of the Jessup Moot Team, Barry plans to work hard next year with the International Human Rights Newsletter. The Newsletter is a new project established jointly by the M.I.L.S. and the Canadian Human Rights Commission.

Also elected at the meeting was Elizabeth Szeremeta to the post of Secretary. Due to the meeting's scheduling conflict with the General Assembly, the election of the Treasurer will take place at a later date.

HOSER ELECTIONS

BY DOUG MACKENZIE

G'Day, how's it going eh? Like our topic today is like that election, eh? Like, I didn't even know like it was on, eh? Like, none of the hoseheads who were running, eh, like had a platform, like, what about back-bacon in the cafeteria, right eh, there isn't any, and like, what about beer and donuts in the basement eh, like nobody talked about that eh, and like what about the faculty hosers having to play beerhunter? So who's Harold eh? Is he like that guy Riggatoni that we're giving money to? Like, I don't know about you, eh, but like I think we got hosed pretty good. Like they should be looking for us at another law school, eh, but like Bob and I can't get in, eh, the Great White North National Program, O.K. eh, beauty!

O.K., eh, like, it's exam time...so, like, if any guy, like, comes up to you, eh, and says, like, "Got a summary, eh?", tell him "Take off", give all summaries to pretty girls. Oh yeah, eh, sign Bob's petition to get rid of the microwave, eh, and, like, someone read him this article.

G'Day, have a cold one!

Personal Classifieds

Met you on 5/3/82 on stage at Skit Nite. You were in black I was in grey tweed. You winked. We didn't speak. Would like to meet again. Please call BB.

White CEGEP female law student looking for sensitive, caring, loving white male post B.A. law student for relationship and possibly marriage. Will give up Friday night all-niters but not Saturday. Sharron 488-8888

White male law student, quiet, shy, unassuming, looking for any girl for a meaningful relationship of more than 2-days. All applications accepted, none rejected. B.T. *Quid Novi* Box 197.

Italian Stallion now in emotional low biorythmic trough. Will trade for any designer jean label or Giorgio Armani sportswear. Luigi, *Quid Novi* Box 199.